



DEPARTMENT OF THE ARMY
HEADQUARTERS, 369TH SIGNAL BATTALION
15TH REGIMENTAL SIGNAL BRIGADE
FORT GORDON, GEORGIA 30905-5000

REPLY TO
ATTENTION OF:

ATZH-TBA

11 June 2010

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Letter #6 – **Uniformed Code of Military Justice (UCMJ) Authority**

1. References:

- a. AR 600-20, Army Command Policy
- b. AR 27-10, Military Justice, 16 November 2005
- c. USASC&FG Reg 27-1, Military Justice, 15 July 2009

2. Within the Summary Court-Martial Convening Authority Jurisdiction of the 369th Signal Battalion, Article 15 UCMJ nonjudicial punishment authority is withheld by the Commander, 369th Signal Battalion. This authority is subject to the reservation of authority established by USASC&FG Reg 27-1 and all other directives issued by appropriate convening authorities.

3. Company Commanders shall consider the entire range of disciplinary tools available to them before resorting to UCMJ. Nonjudicial punishment and courts-martial will be used only when administrative corrective measures have failed or would be inappropriate. Unnecessary use of nonjudicial punishment and courts-martial results in decreased efficiency, lowered morale and discipline, and an unjustified loss of vitally needed manpower. Alternatives to punitive action under the UCMJ should always be considered.

4. With the imposition of this new policy Company Commanders will:

- a. Immediately notify the Battalion Commander of the allegation(s) of misconduct;
- b. Determine whether there is probable cause to support a charge; and
- c. If there is probable cause to support a charge using DA Form 5109, forward a packet with all reports of investigation, statements, and other relevant information, to the Battalion Commander who has authority to impose an Article 15 with a recommendation as to disposition.

5. The Battalion Commander upon receipt of the packet may:

- a. Take no action;
- b. Take adverse administrative or nonpunitive action in lieu of Article 15 proceedings;

c. Initiate the Article 15 proceedings;
d. Return the case to the Company Commander for any authorized action deemed appropriate by the Company Commander; and

e. Prefer court-martial charges in lieu of Article 15 proceedings.

6. The Battalion Commander's withholding authority to impose nonjudicial punishment under Article 15 does not affect Company Commanders' authority to initiate and process administrative separation actions or to prefer court-martial charges against any officer or Soldier for any offense.

E-Signed by BROOKS, SCOTT, DAVID, 1016635150
VERIFY authenticity with Appreset
BROOKS, SCOTT, DAVID, 1016635150

SCOTT D. BROOKS
LTC, SC
Commanding

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